GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department Allegation of irregularities in forming of unauthorised layouts by the realtors in Hindupur Constituency - Disciplinary proceedings against Sri P.Prem Kumar, the then Panchayat Secretary, Gollapuram Gram Panchayat & in-charge Panchayat Secretary, Thumukunta and Kaggallu Gram Panchayats, Hindupur Mandal and present Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal, Ananthapuramu District, under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charges - Issued.

- -

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No. 975 Dated: 26/12/2022

Read the following:-

1. From G.A. (V&E) Dept., V&E Report No.35 (C.No.49/V&E/D2/2016), dated.08.5.2017.
2. G.O.Ms.No. , PR&RD (Vig.IV) Department, Dt: .12.2022.

*****

ORDER:-

It is proposed to hold an inquiry against Sri P.Prem Kumar, the then Panchayat Secretary, Gollapuram Gram Panchayat & in-charge Panchayat Secretary, Thumukunta and Kaggallu Gram Panchayats, Hindupur Mandal and present Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal, Ananthapuramu District, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri P.Prem Kumar, the then PS, Gollapuram Gram Panchayat & in-charge PS, Thumukunta and Kaggallu GPs, Hindupur Mandal and present

PS, Thumukunta GP, Hindupur Mandal, Ananthapuramu District, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri P.Prem Kumar, the then PS, Gollapuram Gram Panchayat & in-charge PS, Thumukunta and Kaggallu GPs, Hindupur Mandal and present PS, Thumukunta GP, Hindupur Mandal, Ananthapuramu District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He, should, therefore, specifically admit or deny each article of charge.

5. Sri P.Prem Kumar, the then PS, Gollapuram Gram Panchayat & in-charge PS, Thumukunta and Kaggallu GPs, Hindupur Mandal and present PS, Thumukunta GP, Hindupur Mandal, Ananthapuramu District, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Sri P.Prem Kumar, the then PS, Gollapuram Gram Panchayat & in-charge PS, Thumukunta and Kaggallu GPs, Hindupur Mandal and present PS, Thumukunta GP, Hindupur Mandal, Ananthapuramu District, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Gopal Krishna Dwivedi

Principal Secretary To Government

To
Sri P.Prem Kumar, the then PS, Gollapuram Gram Panchayat & in-charge PS, Thumukunta and Kaggallu GPs, Hindupur Mandal and present PS, Thumukunta GP, Hindupur Mandal, Ananthapuramu District (w.e). through Commissioner, Panchayat Raj & Rural Development, Tadepalli, Guntur (Dt).
The Commissioner, Panchayat Raj & Rural Development, Tadepalli, Guntur (Dt). (with a request to serve the charges to the individual and furnish a served copy to Govt.,).
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI P. PREM KUMAR, THE THEN PANCHAYAT SECRETARY, GOLLAPURAM GRAM PANCHAYAT & IN- CHARGE PANCHAYAT SECRETARY, THUMUKUNTA & KAGGALLU GRAMPANCHAYATS, HINDUPUR MANDAL AND PRESENT PANCHAYAT SECRETARY, PALASAMUDRAM GRAM PANCHAYAT, HINDUPUR MANDAL, ANANTHAPURAMU DISTRICT.

*****

Charge No.1:-

That Sri P.Prem Kumar, the then Panchayat Secretary, Gollapuram Gram Panchayat & in-charge Panchayat Secretary, Thumukunta and Kaggallu Gram Panchayats, Hindupur Mandal and present Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal, Ananthapuramu District has failed to issue and serve notices for 7 un-authorized layouts and give scope to the realtors to play with the middle class families by selling unauthorized layouts. Further not taken any action for demolition of the unauthorized layout as per the provision under Section 12 (1) (b) of GO Ms.No.67, PR&RD (Pts.lV) Department, Dt. 26.02.2002. Thereby caused loss to Government by way of loss of 10% common space and other fees.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.2:-

That Sri P.Prem Kumar, the then Panchayat Secretary, Gollapuram Gram Panchayat & in-charge Panchayat Secretary, Thumukunta and Kaggallu Gram Panchayats, Hindupur Mandal and present Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal, Ananthapuramu District has issued notices to 6 layouts and failed to take follow up action against the said unauthorized layouts and give scope to the

realtors to play with the middle class families by selling unauthorized layouts. Thereby caused loss to Government by way of loss of 10% common space and other fee.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.3:-

That Sri P. Prem Kumar, the then Panchayat Secretary, Gollapuram Gram Panchayat & in-charge Panchayat Secretary, Thumukunta and Kaggallu Gram Panchayats, Hindupur Mandal and present Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal, Ananthapuramu District has failed to report about the un-authorised layouts to the higher authorities and give scope to the realtors to play with the middle class families by selling unauthorized layouts. Thereby caused loss to Government by way of loss of 10% common space and other fee.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ANNEXURE -II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI P. PREM KUMAR, THE THEN PANCHAYAT SECRETARY, GOLLAPURAM GRAM PANCHAYAT & IN-CHARGE PANCHAYAT SECRETARY, THUMUKUNTA & KAGGALLU GRAMPANCHAYATS, HINDUPUR MANDAL AND PRESENT PANCHAYAT SECRETARY, PALASAMUDRAM GRAM PANCHAYAT, HINDUPUR MANDAL, ANANTHAPURAMU DISTRICT.

*****

While enclosing the petition of Sri Nandamuri Balakrishna, Hon'ble M.L.A, Hindupur Assembly Constituency, the Chief Ministers Office has requested the V&E department to enquire into the allegations regarding realtors and corrupt officials forming illegal layouts and cheating public in Hindupur Constituency. Accordingly, the V&E department conducted an enquiry.

The Vigilance and Enforcement Officials have conducted Enquiry and furnished report vide Vigilance Report No.35 (C.No.49/V&E/D2/2016, Dt.08.05.2017 and Government vide have instructed to take action against the officials responsible for their irregularities shown in the abstract of recommendations of the DG (V&E) Report:

1. As per the findings during enquiry, 145 illegal layouts were noticed in Hindupur mandal and among them 121 illegal layouts are in Kirikera GP, Hindupur mandal only. The details of the Layouts are enclosed to the Vigilance Report.
2. During random verification, it is noticed that majority of the Panchayat Secretaries & EORDs including DLPOs in the district have not taken proper action against the illegal layouts.
3. Some of the Panchayat officers & EORDs served notices to the illegal layout developers of unauthorized layouts. But no further action was initiated against the unauthorized layouts i.e. stopping of registration, arresting / removing of unauthorized layouts as per Section 13(2) of G.O. Ms. No. 67 (L&B Rules 2002& 2007).
4. Some of the officers have not served even a single notice and no action was initiated against the illegal layout developers.
5. It is noticed that the officials mentioned above, knowing the facts of illegal layouts, did not submit any report to the District Collector, Ananthapuramu to stop the registrations of illegal layouts.

6. The Executive Authority of Panchayat Raj shall be responsible for identifying and arresting such unauthorized layouts as per Section 13(2) of AP Layouts & Building Rules in G.O.Ms.No.67 and he also has powers to take action against the developers who rejected the notices and may also inform the same to the higher authorities.

In view of the said vigilance report, there are 13 layouts existing as per the detailed vigilance report and out of the said 13 layouts, Sri P.Prem Kumar, the then Panchayat Secretary, Gollapuram Gram Panchayat & in-charge Panchayat Secretary, Thumukunta and Kaggallu Gram Panchayats, Hindupur Mandal and present Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal, Ananthapuramu District has failed to issue and serve notices for 7 un-authorised layouts, issued notices to 6 layouts and failed to take follow up action against the said unauthorized layouts in respect of the and failed to report about the un-authorised layouts to the higher authorities.

By the above mentioned acts/ facts, Sri P. Prem Kumar, the then Panchayat Secretary, Gollapuram Gram Panchayat & in-charge Panchayat Secretary, Thumukunta and Kaggallu Gram Panchayats, Hindupur Mandal and present Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal, Ananthapuramu District has clearly shown slack supervision on unauthorised laouts, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964. Hence the Charge.

ANNEXURE - III

LIST OF DICUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI P. PREM KUMAR, THE THEN PANCHAYAT SECRETARY, GOLLAPURAM GRAM PANCHAYAT & IN-CHARGE PANCHAYAT SECRETARY, THUMUKUNTA & KAGGALLU GRAMPANCHAYATS, HINDUPUR MANDAL AND PRESENT PANCHAYAT SECRETARY, PALASAMUDRAM GRAM PANCHAYAT, HINDUPUR MANDAL, ANANTHAPURAMU DISTRICT ARE PROPOSED TO BE SUSTAINED.

******

1. Vigilance Report No.35 (C.No.49/V&E/D2/2016), Dt. 08.05.2017.

2. Government Memo No. 5345/VIG/A2/2017-1, Dt. 08.08.2017.

ANNEXURE - IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI P.PREM KUMAR, THE THEN PANCHAYAT SECRETARY, GOLLAPURAM GRAM PANCHAYAT & IN-CHARGE PANCHAYAT SECRETARY, THUMUKUNTA & KAGGALLU GRAMPANCHAYATS, HINDUPUR MANDAL AND PRESENT PANCHAYAT SECRETARY, PALASAMUDRAM GRAM PANCHAYAT, HINDUPUR MANDAL, ANANTHAPURAMU DISTRICT ARE PROPOSED TO BE SUSTAINED.

******

---Nil---